

LOS ANGELES COUNTY CODE

DEPARTMENT REGULATIONS BODY ART

**Title 11 - Health and Safety
Division 1 - Health Code
Chapter 11.36 - Body Art Establishments**

**Environmental Health Regulations
Part 1 - Public Health
Chapter 36 - Body Art Regulations**

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**County of Los Angeles ✧ Department of Public Health
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Environmental Health Regulations

Part 1 - Public Health

Chapter 36 - BODY ART REGULATIONS

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Part 1 - Public Health

Chapter 36 - BODY ART REGULATIONS

Article 1 Definitions.

Section

100.00	Body art ordinance.
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145.00	Sterilization.
150.00	Workstation.

For purposes of these regulations, the words and phrases shall be as defined in section 11.36.010 of the Los Angeles County Code, unless specifically defined otherwise herein.

100.00 Body art ordinance.

"Body art ordinance" means Chapter 11.36 of the Los Angeles County Code, as currently written or as may be amended (attached to these regulations as Appendix A).

105.00 Body art temporary event sponsor.

"Body art temporary event sponsor" means a person or entity that has undertaken to organize or conduct a body art temporary event.

110.00 Cleaning area.

"Cleaning area" means the area in a body art establishment used in the sterilization, sanitization or other cleaning of instruments or other equipment used for body art activity.

115.00 Customer waiting area.

"Customer waiting area" means the area in a body art establishment for use and occupation by persons and clients prior to and after the conduct of any body art.

120.00 Instrument storage area.

"Instrument storage area" means the area in a body art establishment used in the

storage of instruments, linens, equipment, and other items used in any body art activity.

125.00 Pre-sterilized.

“Pre-sterilized” means instruments or procedure set-ups that are sold individually packaged and sterilized. Each package shall have an auditable sterilization lot number from a department-approved sterilization facility.

130.00 Sanitization.

“Sanitization” or to “Sanitize” means bactericidal and virucidal treatment of a clean instrument or surface in a manner effective in destroying pathogens in accordance with these regulations.

Sanitization is not the same or equal to sterilization.

135.00 Sharps.

“Sharps” means instruments and other objects that can penetrate the skin, including, but not limited to, tattoo needles, permanent cosmetic needles, piercing needles, and razors.

140.00 Single-use.

“Single-use” means manufactured and approved for use only once in accordance with manufacturer’s instructions prior to disposal.

145.00 Sterilization.

“Sterilization” or to “Sterilize” means the use of a physical or chemical procedure to destroy all microbial life, including highly resistant bacterial endospores, in accordance with these regulations. Sterilization includes the use of an appropriate and approved method of testing so as to ensure sterilization.

150.00 Workstation.

“Workstation” means the area within a body art establishment exclusively used in and during the conduct of body art upon a client.

Article 2
Body Art Technicians.

Section

- 200.00 Registration.**
- 205.00 Public health operator permit.**
- 210.00 Hepatitis B vaccination status.**
- 215.00 Bloodborne pathogen training course.**
- 220.00 Hygiene.**
- 300.00 Application and consent form for body art activity.**

200.00 Registration.

- (a) Every person shall, in order to renew his or her registration as a body art technician, provide to the department proof of completion by the registrant of an approved bloodborne pathogen training course completed within three years prior to such renewal.
- (b) Proof of completion of a bloodborne pathogen training course is not required upon an individual's initial registration as such documentation is required for the individual to obtain a public health operator permit (see section 205.00).

205.00 Public health operator permit.

- (a) Except as provided in section 11.36.360A of the body art ordinance, every person applying for a public health operator permit shall provide to the department proof of completion by such applicant of an approved bloodborne pathogen training course.
- (b) Proof of completion of a bloodborne pathogen training course is not required to renew a public health operator permit, as such documentation is required for an individual to renew his or her body art technician registration (see section 200.00(a)).

210.00 Hepatitis B vaccination status.

Every body art technician shall have, with a copy provided to the owner of any body art establishment in which the technician performs body art activity, valid documentation of Hepatitis B Virus (HBV) vaccination status stating:

- (a) Certification of completed vaccination;
- (b) Laboratory evidence of immunity;
- (c) Documentation stating the vaccine is contraindicated for medical reasons. Contraindication requires a dated and signed physician's statement specifying the name of the employee and that the vaccine cannot be given; or,

- (d) Certificate of vaccination declination for HBV.

215.00 Bloodborne pathogen training course.

- (a) Any course taken by a person to fulfill the requirements set forth in the body art ordinance concerning exposure control and bloodborne pathogen training required for all body art technicians shall be approved and, at a minimum, provide instruction in the following subject matter:
- (1) Los Angeles County Code, Title 11, Chapter 11.36 - Body Art Establishments, and all applicable state and federal applicable requirements;
 - (2) A general explanation of the epidemiology and symptoms of bloodborne diseases and all communicable diseases potentially transmitted through body art activity;
 - (3) An explanation of the modes of transmission of bloodborne pathogens and other communicable diseases potentially transmitted through body art activity;
 - (4) An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood for the body art technician and/or the client;
 - (5) An explanation of the use and limitations of methods that will prevent or reduce exposure to the body art technician and/or the client of bloodborne pathogens and other communicable diseases;
 - (6) Information on different types, proper use, and removal of gloves and proper hand washing techniques;
 - (7) Information on the proper selection and use of disinfectants and antiseptics;
 - (8) Information on the HBV vaccine, including information on its efficacy, safety, method of administration, and the benefits of vaccination against HBV;
 - (9) An explanation of what constitutes an exposure incident, the risk of disease transmission following an exposure incident, and the options for post-exposure evaluation and follow-up if an exposure incident occurs involving bloodborne pathogens; and,
 - (10) An opportunity for interactive questions and answers with the instructor of the training session.
- (b) Upon conclusion of a course as described above, an examination based on the information covered in the course shall be administered to each attendee of the course, with documentation of the results for each attendee provided to him or her.

220.00 Hygiene.

Every body art technician shall maintain a high degree of personal cleanliness, conform to hygienic practices and wear clean clothes when conducting body art activity. If the body art technician's clothes are or become contaminated, clean clothing shall be donned prior to commencement of any body art activity.

**Article 3
Clients.**

Section

300.00 Application and consent form for body art activity.

300.00 Application and consent form for body art activity.

Every application and consent form for body art activity, as required under section 11.36.530 of the body art ordinance, shall contain:

- (a) General information regarding body art, including, at a minimum, the following statements:
 - (1) Tattoos, permanent cosmetics and body piercing should be considered permanent;
 - (2) Removal of tattoos and permanent cosmetics requires surgery or a medical procedure that may result in scarring of the skin tissue; and,
 - (3) Closure of a hole caused by body piercing may require a medical procedure that may result in scarring of the skin tissue:
- (b) Information as to side effects of body art, including, but not limited to, hypertrophic scarring, adverse reaction to ink/dye/pigment, change in color of ink/dye/pigment over time, decreased ability of physician to locate skin melanoma in regions concealed by tattoos, nerve damage, febrile illness, tetanus, systemic infection, and keloid formation;
- (c) After-care instructions, including, at a minimum:
 - (1) Responsibilities and care following the procedure;
 - (2) Restrictions, if any, upon the client;
 - (3) Signs and symptoms of infection; and,
 - (4) Instructions to contact a physician if signs of infection occur;
- (d) Client information, including:
 - (1) Name;
 - (2) Age and valid identification;
 - (3) Parent or legal guardian consent, including name of parent or legal guardian, and proof of parentage or legal guardianship through a copy of a birth

- certificate or court order of guardianship respectively, or a notarized document signed by the parent or legal guardian attesting to the parent's/legal guardian's relationship to the client and consent to the conduct of the contemplated body art activity upon the client;
- (4) A physician authorization, including the phone number of the physician, if client is a minor and body art activity includes tattoos or permanent cosmetics; and,
 - (5) Description of requested body art activity with a list/description of any device/jewelry to be inserted and to remain in body following the body art activity;
- (e) Instructions requiring client to adhere to the exposure control plan as they relate to client conduct in the body art establishment;
 - (f) Name, address and phone number of the department and instructions for client to contact the department with any questions or concerns regarding safety, sanitization or sterilization procedures;
 - (g) Name of body art technician to conduct the body art and corresponding department registration number;
 - (h) Codes, identity of manufacturer and lot number of any dye and pigment to be used in the body art activity;
 - (i) Signature of client;
 - (j) Signature of client's parent or legal guardian if client is a minor, unless a notarized document has been provided as set forth in 300.00(d)(3);
 - (k) Signature of body art technician;
 - (l) Date(s) of all signature(s); and,
 - (m) Date(s) of procedure, including a daily estimate of progress for the conduct of body art requiring multiple days to complete.

Article 4
Body Art Establishments.**Section**

- 400.00 Workstation.**
- 405.00 Separate areas.**
- 410.00 Walls - Floors - Ceilings.**
- 415.00 Lighting and ventilation.**
- 420.00 Plumbing.**
- 425.00 Water supply.**
- 430.00 Toilet rooms.**
- 435.00 Hand washing sinks.**
- 440.00 Janitorial sinks.**
- 445.00 Instrument sinks.**
- 450.00 Exposure control plan - contents and submission.**

Every body art establishment owner must submit to the department for approval plans and specifications demonstrating compliance with these regulations as required under section 11.36.340 of the body art ordinance. Where applicable, the department may otherwise determine compliance with these regulations upon inspection of a body art establishment.

400.00 Workstation.

- (a) Every workstation shall have a minimum of 80 square feet.
- (b) Every body art establishment shall have at least one workstation which can be completely screened from view from any person outside such workstation, including but not limited to, clients, body art technicians and other persons in other workstations, the customer waiting area and any area outside the body art establishment.

405.00 Separate areas.

- (a) Every area in a body art establishment used for body art activity shall be:
 - (1) Used for no other purpose, including, but not limited to, use as a food establishment, for human habitation, hair and nail activities, or any other use which may cause Contamination of Instruments, other equipment or work surfaces used for Body art activity; and,
 - (2) Separated from any area used for a non-body art activity by a wall or other solid barrier extending from floor to ceiling so as to prevent airborne contamination of the workstation and the instruments and other equipment therein.
- (b) Every body art establishment shall have therein a cleaning area.

- (1) Every cleaning area shall have an area for the placement and use of an ultrasonic cleaning unit located or positioned so as not to be immediately adjacent to any sterilization unit.
- (c) Every body art establishment shall have therein an instrument storage area exclusive of and separate from any cleaning area.
- (d) Every body art establishment shall have therein a customer waiting area exclusive of and separate from any workstation, instrument storage area, cleaning area or other area in a body art establishment used for body art activity.

410.00 Walls - Floors - Ceilings.

- (a) Every workstation, instrument storage area, toilet room, cleaning area and any area in a body art establishment shall be constructed as follows so as to provide a durable smooth, nonabsorbent and washable surface:
 - (1) Floors - constructed of commercially rated continuous sheet vinyl, smooth sealed cement, ceramic tile, or other similar approved materials;
 - (2) Walls - covered with a semi-gloss or gloss enamel paint, or constructed of fiberglass reinforced panel (FRP), or ceramic tile or other similar materials approved by the department; and
 - (3) Ceiling - covered with semi-gloss or gloss enamel paint, or approved acoustical paneling.

All such walls and ceilings shall be light-colored. For purposes of this chapter, light-colored shall mean a light reflectance value of 70 percent or greater.

- (b) Section (a) does not apply to the walls, floors and ceilings of any customer waiting area or office.

415.00 Lighting and ventilation.

- (a) Every body art establishment shall be well ventilated and have a minimum light service maintained at all times during operation at an equivalent of not less than 20 foot candles as measured 36 inches above the floor, except that a minimum of 100 foot candles shall be provided on the area of the client's body subject to the conduct of body art, in any area where instruments or sharps are assembled, and where sanitization or sterilization activities are performed.
- (b) Every workstation or every area in a body art establishment where linens, instruments, or other equipment used in body art activity are exposed, sanitized or sterilized shall exclusively use readily cleanable light fixtures with lights 'of shatterproof construction or lights enclosed by a shatterproof shield.

420.00 Plumbing.

All plumbing and plumbing fixtures shall be installed in compliance with local plumbing codes. To the extent permitted by applicable federal, state and local laws and ordinances, all liquid wastes shall be discharged through the plumbing system into the public sewerage or into a department-approved private sewage disposal system.

425.00 Water supply.

- (a) An adequate, protected, pressurized, potable water supply shall be provided to every body art establishment. Such water supply and plumbing shall be department-approved.
- (b) For purposes of these regulations, hot water shall mean a minimum temperature of 110° F.

430.00 Toilet rooms.

- (a) Every body art establishment shall provide toilet rooms with adequate lighting and department-approved ventilation to the outside for use by employees and clients, and available to clients during all business hours.
- (b) The number and construction of toilet rooms, commodes and separate stalls for each commode in a toilet room shall be in accordance with local building and plumbing codes.
- (c) Every toilet room shall be fully enclosed and have a well-fitting, self-closing door which shall remain closed.
- (d) Toilet tissue shall be provided in a permanently installed dispenser in each stall.
- (e) Toilet rooms shall not be used for the storage of instruments or other supplies used for body art activity.
- (f) A body art establishment permanently located within a retail shopping center, or similar setting housing multiple operations within one enclosed structure having shared entrance and exit points, shall not be required to provide a toilet room within such establishment if department-approved toilet facilities are located in the center within 300 feet the establishment so as to be readily accessible to any client or body art technician.

435.00 Hand washing sinks.

- (a) A hand washing sink shall be provided:
 - (1) Within or adjacent to any toilet room; and
 - (2) In each room with one or more workstation.

A single hand washing sink located adjacent to a toilet room and in a room

with a workstation may meet both of these requirements.

- (b) Every hand washing sink shall be equipped with:
 - (1) An adequate supply of hot and cold running water under pressure with fixtures to allow for washing of hands; and
 - (2) Liquid hand cleanser and single-use sanitary towels in devices for dispensing, and a waste container of washable construction.

440.00 Janitorial sinks.

- (a) At least one janitorial sink shall be provided in every body art establishment for use in cleaning the body art establishment and proper disposal of liquid wastes in accordance with all applicable Federal, state and local laws. For purposes of this chapter, a janitorial sink means a sink of adequate size equipped with hot and cold running water under pressure so as to permit the cleaning of the body art establishment and any equipment used for cleaning.
- (b) Every janitorial sink also used as a hand washing sink shall have all dispensers as required under these regulations for a hand washing sink.
- (c) A janitorial sink shall be required for any body art establishment commencing operation after the effective date of the body art ordinance. The department may allow a body art establishment in operation prior to the July 1, 1999, to be exempt, provided it is demonstrated to the satisfaction of the department that such establishment can be effectively cleaned in accordance with these regulations.
- (d) The janitorial sink may not satisfy any requirement for a hand washing sink for a toilet room as required under these regulations.

445.00 Instrument sinks.

- (a) Every cleaning area shall have an instrument sink used exclusively for the cleaning of instruments.
- (b) Every instrument sink shall be of adequate size and equipped with hot and cold running water under pressure so as to permit the cleaning of instruments used in body art activity.

450.00 Exposure control plan - contents and submission.

- (a) The exposure control plan for a body art establishment shall be submitted by the owner to the department for plan review under section 11.36.340 of the body art ordinance and updated as needed so as to meet all of the requirements of the current version of Title 8 California Code of Regulations §§ 3203 and 5193 (attached to these regulations as Appendix B).
- (b) A copy of the body art establishment's exposure control plan as set forth above

shall be maintained at the body art establishment as set forth in section 610.00 of these regulations.

**Article 5
Instruments and Equipment.****Section**

- 500.00 Equipment.**
- 505.00 Sanitizing and sterilization units.**
- 510.00 Waste receptacles.**
- 515.00 Linens.**
- 520.00 Rotary pens.**
- 525.00 Ink - Dye - Pigment.**
- 530.00 Inserted objects - jewelry.**
- 535.00 Telephone access.**
- 540.00 Prohibited instruments and materials.**

500.00 Equipment.

The surface of all equipment and furniture located in an area used for body art activity or instrument storage area, including, but not limited to, counters, tables, equipment, benches, chairs, recliners, shelves, storage containers, and cabinets in the workstations, cleaning areas and instrument storage areas shall be made of materials that are, or shall be treated so as to be, smooth, non-absorbent, non-porous, easily cleanable, and able to withstand repeated cleaning and disinfection.

505.00 Sanitizing and sterilization units.

- (a) Every body art establishment shall have the following so as to ensure the cleaning and maintenance of an adequate supply of instruments for use in body art activity:
 - (1) One or more ultrasonic cleaning units sold for cleaning purposes under approval of the Food and Drug Administration ("FDA"). Every ultrasonic cleaning unit shall be clearly labeled biohazardous and installed or placed in an area separate from any Workstation or area used for sterilization in accordance with the requirements set forth by the Occupational Safety and Health Administration ("OSHA");
 - (2) One or more sterilization units sold for medical sterilization purposes under approval of the FDA; and,
 - (3) One or more commercial biological monitoring (spore) system tests per each Sterilization unit, consistent with the Sterilization unit manufacturer's instructions for use by the Department during inspection.
- (b) The requirements of section (a) shall not apply if pre-sterilized, individually packaged, single-use needles, needle chamber machine tips, machine casings and combo couples are exclusively used for body art activity.

510.00 Waste receptacles.

- (a) Every workstation shall have a foot-operated, covered, cleanable, waste receptacle for disposal of trash and other debris.
- (b) Every body art establishment shall have a waste receptacle exclusively used for the disposal of contaminated waste in accordance with the medical waste management act. Each such receptacle shall be tightly covered and clearly labeled as containing biohazardous waste.

515.00 Linens.

Every body art establishment shall maintain an adequate supply of reusable, launderable linens or single-use linens, such as drapes, lap cloths and aprons, to be used in body art activity in accordance with these regulations.

520.00 Rotary pens.

If used in body art activity, rotary pens, also known as cosmetic machines, shall have detachable, disposable, sterile combo couplers and shall have detachable, disposable casings or casings designed and manufactured to be easily cleaned and sterilized in accordance with these regulations.

525.00 Ink - Dye - Pigment.

- (a) All inks, dyes, and pigments used to alter the color of skin in the conduct of body art shall be specifically manufactured for such purpose, approved, properly labeled as to its ingredients, manufacturer and lot number in accordance with applicable FDA requirements, and shall not be contaminated or adulterated. The mixing of such inks, dyes or pigments or their dilution with potable sterile water is acceptable, unless prohibited or not recommended by its/their manufacturer.
- (b) Inks, dyes and pigments prepared by or at the direction of a body art technician for use in body art activity shall be made exclusively of non-toxic and non-contaminated ingredients approved by the department or FDA.

530.00 Inserted objects - jewelry.

- (a) Jewelry or objects intended for bodily insertion shall be sterilized, in good condition, designed and manufactured for insertion into the intended body part (i.e. jewelry designed for insertion in pierced ear lobes shall not be used for insertion in other parts of the body.).
- (b) Only jewelry manufactured of implant grade, ASTM F138 and ISO 5832-1 implant grade stainless steel, solid 14K through 24K gold, niobium, titanium, platinum or other materials considered by the department to be equally bio-compatible shall be inserted into newly pierced skin.

535.00 Telephone access.

Every body art establishment shall have a telephone in good working order easily accessible to all employees during all hours of operation for the purpose of contacting and requesting emergency medical assistance/paramedic services in the event of an emergency or perceived need. A legible sign shall be posted at or adjacent to the telephone indicating the correct emergency contact telephone number, for example 911.

540.00 Prohibited instruments and materials.

- (a) No person shall utilize or have available in a body art establishment:
- (1) Unapproved instruments or materials, such as styptic pencils or devices, alum, or any similar material, to check the flow of blood;
 - (2) Liquid sterilants for the sterilization of any re-usable instrument or component;
 - (3) Rotary pens that are designed or manufactured with a sponge type material at the opening of the chamber for the purpose of prohibiting the backflow of pigment and body fluid into the machine;
 - (4) Multiple use instruments or components that are designed in such a manner that restrict or prevent proper cleaning or sterilization;
 - (5) Drugs, chemicals or agents that require a licensed medical practitioner's authorization for use, application or dispensation.
 - (6) Suturing kits or suturing devices, scalpels, cauterizing tools or devices, branding tools or devices, or other tools, devices or instruments used for or in conjunction with any prohibited body art activity, and not otherwise used for any permitted body art activity.

**Article 6
Operations.**

General requirements

Section

- 600.00 No animals.**
- 603.00 No smoking, eating and drinking.**
- 605.00 Disease transmission.**
- 607.00 Exposure incident report.**
- 610.00 Record maintenance.**
- 613.00 Establishment maintenance.**
- 615.00 Toilet room and plumbing maintenance.**
- 617.00 Equipment and instrument maintenance.**
- 620.00 Instrument sterilization.**
- 623.00 Instrument storage.**
- 625.00 Use of chemicals and cleansers.**
- 627.00 Labeling.**
- 630.00 Linen storage and cleaning.**
- 633.00 Cleaning and testing of ultrasonic cleaning units and sterilization units.**
- 635.00 Waste hauling.**

600.00 No animals.

- (a) Except as otherwise provided below, no animal shall be kept in or permitted to enter into:
 - (1) Any instrument storage area or any area in a body art establishment used for sterilizing, sanitizing or other cleaning of instruments; and,
 - (2) Any workstation or other area of a body art establishment.
- (b) Section (a)(2) does not apply to any guide animal, signal animal, or service animal, as defined by section 54.1 of the Civil Code, accompanied by a totally or partially blind person or deaf person, person whose hearing is impaired, or handicapped person, any dog accompanied by a person licensed to train guide dogs pursuant to Chapter 9.5 (commencing with section 7200) of Division 3 of the Business and Professions Code, or any dog accompanied by a uniformed employee of a private patrol operator or an operator of a private patrol service licensed pursuant to Chapter 11.5 (commencing with section 7580) of Division 3 of the Business and Professions Code during and within the course and scope of their employment as patrol persons.
- (c) Section (a) does not apply to dogs under the control of uniformed law enforcement officers.

- (d) Section (a) does not apply to fish or other aquatic life contained in a completely enclosed aquarium so long as the presence of any aquarium does not interfere with proper maintenance of the body art establishment as set forth in these regulations.

603.00 No smoking, eating and drinking.

No person shall smoke, or otherwise use tobacco, eat or drink at or in the workstation, instrument storage area or cleaning area.

605.00 Disease transmission.

Except as set forth in these regulations, no person shall commit or permit any act that may expose any person to disease or illness or otherwise contaminate any instrument or area in a body art establishment used for body art activity.

607.00 Exposure incident report.

- (a) An exposure incident report shall be completed by the close of business on and for every exposure incident occurring in the conduct of any body art activity.
- (b) Each exposure incident report shall contain:
 - (1) A copy, where applicable, of the application and consent form for body art activity completed by any client involved in the exposure incident;
 - (2) A full description of the exposure incident, including the portion of the body involved therein;
 - (3) Instrument(s) or other equipment implicated;
 - (4) A copy of the employee/independent operator records of any body art technician (as set forth in section 610.00(a)(2) and (a)(3) below);
 - (5) Date and time of exposure;
 - (6) Any medical history released to the body art establishment or body art technician independent operator on any person involved; and
 - (7) Information regarding any recommendation to refer to a physician or waiver to consult a physician by persons involved.

610.00 Record maintenance.

- (a) Every owner of a body art establishment shall have and retain at the body art establishment for inspection by the department the following information for the time period specified below, to be updated as needed to remain current:

- (1) Exposure control plan - one copy of the exposure control plan for the body art establishment submitted to the department under section 450.00(a);
 - (2) Employee records (three years) - indicating: name, home address, home phone number, identification photograph, state identification card number, physical description as detailed on state identification card, date of birth, type(s) of body art procedures conducted, exact duties, dates of employment at location, body art technician registration number, Hepatitis B vaccination status or declination notification;
 - (3) Body art technician independent operator(s) records (three years) - indicating: name, home address, phone number, state identification card number, physical description as detailed on state identification card, date of birth, type(s) of body art procedures conducted, dates operating at location; body art technician registration number, Hepatitis B vaccination status or declination notification;
 - (4) Client records (three years) - copies of all application and consent forms for body art activity;
 - (5) Waste hauler manifests for contaminated waste and sharps transport and disposal (three years);
 - (6) Training records (three years) - documentation to verify training of exposure control plan to all employees and body art technician independent operator(s) conducting body art activity at such establishment;
 - (7) Dye, ink and pigment records (three years) - manufacturer, color and code information for all dye, ink and pigment; ratios of colors and sterile water if mixed by the body art technician;
 - (8) Instrument records (three years) - vendor name, address and phone number for all instruments intended for use in body art activity;
 - (9) Commercial biological monitoring (spore) system test results (three years); and
 - (10) Body art regulations - one copy of the most current version of these body art regulations.
- (b) Every owner of a body art establishment shall have and retain at the establishment for inspection by the department all exposure incident reports permanently. Disposal or destruction of these reports is prohibited.

613.00 Establishment maintenance.

Every area of a body art establishment shall be kept in good repair, clean and free of all

vermin and maintained so as to prevent contamination of clients and other persons.

615.00 Toilet room and plumbing maintenance.

- (a) Every toilet room, plumbing and plumbing fixture shall be kept clean, fully operative, and in good repair.
- (b) Every toilet room shall be separated by a closed door from other areas of the body art establishment.

617.00 Equipment and instrument maintenance.

- (a) All instruments and surfaces of equipment used for body art activity, including, but not limited to, devices, containers, cabinets, storage compartments, chairs, tables, counters, and dispensers shall be maintained clean, fully operative, and in good repair and free from contamination.
- (b) All Instruments manufactured for performing any specific body art activity shall be so designated, used and approved, and shall not be adulterated, contaminated or improperly used. Instruments used for body piercing shall be constructed of stainless surgical-grade steel, and designed and manufactured for such use.
- (c) Instruments intended for single-use shall not be reused.

620.00 Instrument sterilization.

- (a) Every contaminated reusable instrument or component thereof, including, but not limited to, needles, needle bars, needle tubes, needle caps, body piercing tubes, rotary pens, and coil machines, shall be immersed in water or other approved liquid solution in the cleaning area until cleaned and sterilized.
- (b) Prior to sterilization, every such instrument shall be thoroughly washed by scrubbing with an appropriate soap or disinfectant solution and hot water in accordance with manufacturer's instructions so as to remove contamination.
- (c) Upon completion of the washing process as set forth in subsection (b) above, every such instrument shall be cleaned using an ultrasonic cleaning unit in accordance with manufacturer's instructions.
- (d) Upon completion of the cleaning process as set forth in subsection (c) above, every such instrument shall be packaged into procedure set-up packages with color change indicators designed to indicate complete sterilization thereof, initials of the person responsible for sterilizing the instruments and date of such sterilization. Instruments may be packaged individually or with other instruments to the extent permitted under the package manufacturer's instructions.
- (e) Upon completion of the packaging process as set forth in subsection (d) above, every such instrument shall be properly sterilized in an approved sterilization unit

according to manufacturer's instructions.

- (f) If a package becomes wet or is opened or compromised so as to allow the contamination of the contents of the package, any instrument therein shall be deemed contaminated and again shall be washed, cleaned, packaged and sterilized as indicated above prior to use.
- (g) Sterilized instruments shall be stored in a dry, clean cabinet or tightly covered container. Cabinets and containers designated for the storage of sterilized instruments shall be used for that purpose exclusively.
- (h) Every sterilized package shall be deemed expired six (6) months after the date of sterilization. Every instrument therein shall again be washed, cleaned, packaged and sterilized consistent with the provisions of this chapter prior to use.
- (i) Liquid sterilants shall not be used for the sterilization of any re-usable instrument.

623.00 Instrument storage.

All instruments must be stored in an instrument storage area in a manner so as to prevent contamination. Identical instruments shall be exclusively stored together, unless intermingled storage with different instruments does not represent a hazard as determined by the department.

625.00 Use of chemicals and cleansers.

All germicides, disinfectants, chemicals, and cleansers must be used according to the manufacturer's requirements, used only for the purpose approved and intended by the manufacturer and properly labeled and stored so as to prevent contamination and hazard.

627.00 Labeling.

All storage containers, cabinets, shelves and other storage areas in the instrument storage area shall be properly labeled as to their contents, including, but not limited to, identification of contaminated or soiled contents as appropriate.

630.00 Linen storage and cleaning.

- (a) Clean linen shall be stored in a manner so as to prevent contamination. Containers used for the storage of such linen shall be clearly labeled as to the contents and used for no other purpose. Linens that have become soiled or contaminated shall be disposed of, or not be used, until properly laundered. Contaminated linen shall be labeled, handled, stored, transported, and laundered or disposed of so as to prevent hazard in a manner approved by the department.
- (b) Any other protective clothing, garments and other cloth items worn during or used in body art activity and intended for reuse shall be mechanically washed with detergent and dried after each use. The items shall be stored in a clean, dry

manner and protected from contamination until used. If washing is conducted in the body art establishment, all applicable plumbing codes shall apply. Should such items become contaminated directly or indirectly with bodily fluids, the items shall be washed in accordance with standards applicable to hospitals and medical care facilities, at a temperature of 160° F or a temperature of 120° F with the use of chlorine disinfectant.

633.00 Cleaning and testing of ultrasonic cleaning units and sterilization units.

- (a) Every Ultrasonic cleaning unit and sterilization unit shall be used, cleaned and maintained according to manufacturer's specifications.
- (b) Every sterilization unit shall be tested with a commercial biological monitoring (spore) system test in a manner and frequency consistent with the manufacturer's instructions, but no less than once every month, to monitor the efficacy of the unit's eradication of all living organisms, including spores.

635.00 Waste hauling.

- (a) All waste shall be removed from the body art establishment on a daily basis and placed in an Approved secured receptacle for pickup and removal.
- (b) All contaminated waste and sharps shall be disposed of through use of an approved waste hauler in accordance with all applicable state and federal laws and regulations. The frequency of disposal shall be determined by the department, but shall be no less than every 30 days.

Conduct of Body Art

- 637.00 Workstation sanitizing.**
- 640.00 Hand washing and use of gloves.**
- 643.00 Instrument and equipment preparation.**
- 645.00 Use of workstation.**
- 647.00 Use of instruments.**
- 650.00 Waste disposal.**
- 653.00 Multiple body art activities.**

For purposes of these regulations, the conduct of body art is the discrete procedure of permanently applying body art upon a client. The conduct of body art does not include other body art activities, such as cleaning, sanitization and sterilization activities.

637.00 Workstation sanitizing.

- (a) An Environmental Protection Agency (EPA) registered hard surface disinfectant product such as iodophor, chlorine, phenolic, or alcohol containing germicide or 1:100 dilution of household non-scented bleach and water (two tablespoons of

bleach in one quart of water) shall be used after cleaning with water and soap or other appropriate cleaning compound to disinfect any surface contaminated or reasonably suspected of such. The disinfectant or germicide shall be applied using a single-use paper towel.

- (b) The workstation, including, but not limited to the client's chair, table, tray and similar surfaces shall be thoroughly cleaned and sanitized with an approved disinfectant or germicide (as set forth in subsection (a) above) immediately before and immediately after the conduct of body art upon a client therein/thereon.

640.00 Hand washing and use of gloves.

- (a) Every body art technician shall clean his/her hands and forearms thoroughly by washing with antibacterial soap and warm water and prompt drying with single-use towels prior to conducting any body art activity.
- (b) Every body art technician shall wear new, clean, single-use examination gloves:
 - (1) While assembling all Instruments and other supplies intended for use in the conduct of body art; and,
 - (2) During the conduct of body art upon a client.
- (c) If a glove is pierced, torn or contaminated through contact with any part of the client not subject to the conduct of body art, any person other than the client, or otherwise exposed to an unsanitized or nonsterile surface, both gloves must be promptly removed and discarded into an appropriate waste receptacle.
- (d) If the body art technician's gloves are removed at any time during assembly of instruments or supplies, or the conduct of body art, the body art technician must clean his/her hands and don new gloves in accordance with this section.
- (e) The use of single-use examination gloves does not preclude or substitute for hand washing procedures.

643.00 Instrument and equipment preparation.

- (a) Every body art technician shall use linens, properly cleaned in accordance with these regulations, or new single-use drapes, lap cloths, and aprons for each client receiving body art.
- (b) Every substance used in the conduct of body art shall be dispensed from containers so as to prevent contamination of the unused portion. Immediately before applying a tattoo or permanent cosmetics upon a person, the quantity of the ink, dye or pigment to be used therefor shall be transferred from its/their original bottle into sterile, single-use disposable cups, caps or containers.
- (c) Upon sanitization of the workstation in compliance under these regulations, the instrument tray shall be covered with an uncontaminated single-use paper towel or

tray cover.

- (d) Every instrument required for the conduct of body art upon a person shall be placed and arranged on the instrument tray in a manner so as to prevent contamination of sterilized instruments. All sterilized instruments shall remain in sterile packages until opened in front of the client.
- (e) Sharps containers shall be easily accessible to the body art technician and located as close as is feasible to the immediate area where sharps will be used.

645.00 Use of workstation.

- (a) The conduct of body art shall occur only upon a client exclusively in and at a workstation under sterile conditions.
- (b) Only the client, the client's parent or guardian if the client is a minor, the client's guide animal, signal animal or service animal as set forth under section 600.00 of these regulations, and the body art technician conducting the body art shall be permitted in the workstation during the conduct of body art.

647.00 Use of instruments.

All Instruments used in the conduct of body art shall be without contamination, and properly sanitized and sterilized in accordance with these regulations.

650.00 Waste disposal.

- (a) Disposable items such as gloves, wipes, cotton balls, Q-tips, water cups, rinse cups (used alone or in an ultrasonic cleaning unit), drapes, lap cloths, aprons and other single-use items that have come into contact with any person or a workstation, instrument trays, counters, towels or linens therein/thereon used for the conduct of body art, or have otherwise become contaminated shall be promptly discarded upon completion of the conduct of body art into an appropriate waste receptacle in accordance with all applicable regulations of the California Health and Safety Code.
- (b) Contaminated sharps shall be promptly discarded upon completion of the conduct of body art in a waste receptacle as described in section 510.00(b) of these regulations.

653.00 Multiple body art activities.

- (a) The following shall be deemed as multiple body art activities on a single client, each requiring proper washing, cleaning, sanitization, and sterilization of instruments, workstations and other equipment and areas as set forth under these regulations:

- (1) Applying two or more tattoos on different areas of the body of a client; or

- (2) The use of more than one needle during the conduct of body art.

Article 7
Mobile Body Art Establishments.**Section**

- 700.00** **Applicability of regulations.**
- 705.00** **Exposure control plan.**
- 710.00** **Plans and specifications.**
- 715.00** **Restricted use.**
- 720.00** **Optional separate areas and equipment.**
- 725.00** **Interior requirements.**
- 730.00** **Toilet rooms.**
- 735.00** **Instrument and hand washing sinks.**
- 740.00** **Door and window openings.**
- 745.00** **Water and plumbing.**
- 750.00** **Liquid waste and sewage storage and removal.**
- 755.00** **Testing of sterilization units.**

700.00 Applicability of regulations.

Except as specified or inconsistent with the regulations in this Article 7, all previous Articles of these regulations shall apply to all mobile body art establishments, their owners, clients, and activities therein.

705.00 Exposure control plan.

Every exposure control plan for a mobile body art establishment submitted by the establishment owner to the department in accordance with section 450.00 of these regulations shall include, but not be limited to, the name and location of the facility used for removal of sewage and liquid waste from the establishment.

710.00 Plans and specifications.

- (a) All plans and specifications for a mobile body art establishment shall be submitted by the establishment owner to the department annually, and upon modification of the establishment, in accordance with section 11.36.600 of the body art ordinance.
- (b) The plans and specifications submitted by the establishment owner for each temporary event shall include, but not be limited to, the following information:
 - (1) The name, address and phone number of the body art temporary event sponsor;
 - (2) The name, address, phone number and department registration number of all body art technicians operating at the mobile body art establishment;
 - (3) The location of the establishment in the body art temporary event;

- (4) The location of the establishment's instrument storage area;
- (5) The location of the establishment's cleaning area, if any;
- (6) The location and quantity of all of the establishment's toilet rooms, instrument sinks and hand washing sinks; and,
- (7) The location and quantity of all ultrasonic cleaning units and sterilization units if provided by the establishment owner.

715.00 Restricted use.

Every mobile body art establishment shall be used only for the purpose of performing body art activities at a body art temporary event in accordance with section 11.36.610 of the body art ordinance.

720.00 Optional separate areas and equipment.

- (a) A mobile body art establishment may, but shall not be required to, have each of the following:
 - (1) A customer waiting area.;
 - (2) A janitorial sink; and
 - (3) A telephone.
- (b) Any area or equipment in section (a) which is included in a mobile body art establishment shall be provided, cleaned and maintained in accordance with these regulations.

725.00 Interior requirements.

- (a) The construction and maintenance of all walls, floors and ceilings of the interior of every mobile body art establishment shall be in compliance with the regulations governing body art establishments.
- (b) Every mobile body art establishment shall have a clear, unobstructed height over the aisle-way portion of the vehicle used for body art activity of at least 188 centimeters (74 inches) from floor to ceiling, and a minimum of 76 centimeters (30 inches) of unobstructed, horizontal aisle space.

730.00 Toilet rooms.

Every mobile body art establishment shall have and maintain in accordance with these regulations an adequate number of toilet rooms, commodes and separate stalls for each commode so as to accommodate the use thereof by all clients and body art technicians

at the establishment. Toilet room doors shall be self-closing. Toilet rooms shall be vented to the outside by a means approved by the Department.

735.00 Instrument and hand washing sinks.

Every mobile body art establishment shall have, at a minimum, one of each of the following:

- (a) An instrument sink in accordance with section 445.00 of these regulations; and,
- (b) A hand washing sink located inside or adjacent to any toilet room. The hand washing sink shall be exclusively used by toilet room patrons, and by body art technicians and clients in preparation for the conduct of body art.

740.00 Door and window openings.

- (a) Every door providing access to a mobile body art establishment shall be self-closing and tight-fitting.
- (b) Every window in a mobile body art establishment which can be opened shall have tight-fitting screens adequate to prevent the entrance of insects.

745.00 Water and plumbing.

- (a) Every mobile body art establishment shall maintain an adequate, protected, pressurized, potable supply of water in accordance with subsection (b) below.
- (b) All water used by a mobile body art establishment shall be:
 - (1) Supplied in a manner so as to prevent contamination, including, but not limited to, the use of an approved hose for filling and refilling purposes; and,
 - (2) Stored in an approved water supply storage tank indicating its capacity.

750.00 Liquid waste and sewage storage and removal.

- (a) All liquid wastes and sewage from a mobile body art establishment shall be stored in an adequate on-board storage tank with a capacity that is at least fifty (50) percent greater than the capacity of the water supply storage tank.
- (b) All liquid wastes shall be removed from a mobile body art establishment to an approved site intended for such use.

755.00 Testing of sterilization units.

- (a) Every sterilization unit provided by a mobile body art establishment owner as required by section 505.00 of these regulations shall be tested by the owner with a commercial biological monitoring (spore) system test in accordance with

manufacturer's instructions at least thirty (30) days before the commencement of the body art temporary event. Records of the results of such testing shall be maintained by the owner in accordance with these regulations.

- (b) The sterilization unit testing requirements set forth under section 633.00(b) of these regulations shall not apply to any sterilization unit used for a mobile body art establishment and provided by the establishment owner.

Article 8
Temporary Body Art Establishments.

Section

- 800.00 Applicability of regulations.**
- 805.00 Exposure control plan.**
- 810.00 Public health facility permit.**
- 820.00 Restricted use.**
- 825.00 Optional separate areas and equipment.**
- 830.00 Workstation.**
- 835.00 Hand washing sinks.**
- 840.00 Water and plumbing.**
- 845.00 Testing of sterilization units.**

800.00 Applicability of regulations.

Except as specified or inconsistent with the regulations in this Article 8, all regulations in Articles 1 through 6 above shall apply to all temporary body art establishments, their owners, clients, and activities therein.

805.00 Exposure control plan.

Every exposure control plan for a temporary body art establishment submitted by the establishment owner to the department in accordance with section 450.00 of these regulations shall include, but not be limited to, the name and location of the facility used for disposal of sewage and liquid waste.

810.00 Public health facility permit.

- (a) A public health facility permit for a temporary body art establishment shall be issued in accordance with section 11.36.710 of the body art ordinance upon completion of the application for public health facility permit to be provided by the department, and payment of the applicable fee as set forth in the application.
- (b) Completion of the application for public health facility permit shall satisfy any requirement for persons conducting body art activity at the temporary body art establishment to submit plans and specifications under section 11.36.690 of the body art ordinance and these regulations.

820.00 Restricted use.

Every temporary body art establishment shall be used only for the purpose of performing body art activities at a body art temporary event.

825.00 Optional separate areas and equipment.

- (a) A temporary body art establishment may, but shall not be required to, have each of

the following:

- (1) A customer waiting area.;
 - (2) A cleaning area;
 - (3) A toilet room;
 - (4) An instrument sink;
 - (5) A janitorial sink;
 - (6) An ultrasonic cleaning unit;
 - (7) A sterilization unit; and,
 - (8) A telephone.
- (b) Any area or equipment in section (a) which is included in a temporary body art establishment shall be provided, cleaned and maintained in accordance with these regulations.

830.00 Workstation.

Every workstation in a temporary body art establishment shall have a minimum 45 square feet of floor space.

835.00 Hand washing sinks.

- (a) Except as provided in section (b), every temporary body art establishment shall have at least one hand washing sink for the exclusive use by the body art technician and client in preparation for the conduct of body art.
- (b) A temporary body art establishment may use an adjacent hand washing sink located within a separate temporary body art establishment, but no more than four temporary body art establishments may share the same hand washing sink.

840.00 Water and plumbing.

Water, plumbing, and liquid waste and sewage disposal for every temporary body art establishment shall comply with the requirements set forth for a mobile body art establishment, or, at the discretion of the department, the requirements set forth for a body art establishment.

845.00 Testing of sterilization units.

- (a) Every sterilization unit provided by a temporary body art establishment owner as permitted under section 825.00 of these regulations shall be tested by the owner

with a commercial biological monitoring (spore) system test in accordance with manufacturer's instructions at least thirty (30) days before the commencement of the body art temporary event. Records of the results of such testing shall be maintained by the owner in accordance with these regulations.

- (b) The sterilization unit testing requirements set forth under section 633.00(b) of these regulations shall not apply to any sterilization unit used for temporary body art establishment and provided by the establishment owner.

Article 9
Body Art Temporary Events.**Section**

- 900.00 Exposure control plan.**
- 905.00 Plans and specifications.**
- 910.00 Customer waiting area.**
- 915.00 Cleaning area.**
- 920.00 Toilet rooms.**
- 925.00 Hand washing sinks.**
- 930.00 Instrument sinks.**
- 935.00 Janitorial sinks.**
- 940.00 Ultrasonic cleaning and sterilization units.**
- 945.00 Cleaning and testing of ultrasonic cleaning and sterilization units.**

900.00 Exposure control plan.

Every sponsor of a body art temporary event for a mobile body art establishment or temporary body art establishment shall be responsible for submitting to the department an exposure control plan for the body art temporary event in accordance with section 450.00 of these regulations.

905.00 Plans and specifications.

- (a) Body art temporary event plans and specifications to be submitted by the event sponsor to the Department in accordance with section 11.36.640 or section 11.36.700 of the body art ordinance shall include, but not be limited to, the location and quantity of all of the following at the body art temporary event:
 - (1) Temporary body art establishments;
 - (2) Mobile body art establishments;
 - (3) Cleaning areas not located in a mobile body art establishment;
 - (4) Toilet rooms, hand washing sinks, instrument sinks and janitorial sinks not located in a mobile body art establishment; and,
 - (5) Ultrasonic cleaning units and sterilization units provided by any person other than a mobile body art establishment owner.
- (b) The sponsor shall pay all fees in connection with the submission to the department of the plans and specifications as provided in section (a) above.

910.00 Customer waiting area.

Every body art temporary event shall have and maintain in accordance with these

regulations an adequate customer waiting area so as to accommodate clients and other persons at the body art temporary event prior to and after the conduct of body art.

915.00 Cleaning area.

Every body art temporary event shall have and maintain in accordance with these regulations a cleaning area of a size and design adequate to reasonably accommodate sterilization and sanitization activities, and other body art activities of those mobile body art establishments and temporary body art establishments not equipped with a cleaning area.

920.00 Toilet rooms.

Every body art temporary event shall have and maintain in accordance with these regulations an adequate number of toilet rooms, commodes and separate stalls for each commode so as to accommodate the use thereof by all body art technicians and clients at the event.

925.00 Hand washing sinks.

Every body art temporary event shall have and maintain in accordance with these regulations an adequate number of hand washing sinks in each cleaning area at the event so as to reasonably accommodate the body art activities described in section 915.00 of these regulations, and in or around all toilet rooms as required local building and plumbing codes.

930.00 Instrument sinks.

Every body art temporary event shall have and maintain in accordance with these regulations an adequate number of instrument sinks in the cleaning area of the event so as to reasonably accommodate the use thereof by all body art technicians operating in temporary body art establishments and mobile body art establishments not equipped with an instrument sink.

935.00 Janitorial sinks.

Every body art temporary event shall have and maintain in accordance with these regulations an adequate number of janitorial sinks so as to accommodate the cleaning and maintenance of all mobile body art establishments and temporary body art establishments not equipped with a janitorial sink.

940.00 Ultrasonic cleaning and sterilization units.

Every body art temporary event shall have and maintain in accordance with these regulations an adequate number of ultrasonic cleaning and sterilization units so as to accommodate the use thereof by all body art technicians operating in a temporary body art establishment not equipped with an ultrasonic cleaning unit or a sterilization unit.

945.00 Cleaning and testing of ultrasonic cleaning and sterilization units.

- (a) Every ultrasonic cleaning unit and sterilization unit at the body art temporary event not provided by a mobile body art establishment owner or a temporary body art establishment owner shall be cleaned and maintained by the event sponsor in accordance with the manufacturer's instructions for each such unit and these regulations.
- (b) Every sterilization unit at the body art temporary event not provided by a mobile body art establishment owner or temporary body art establishment owner shall be tested in accordance with manufacturer's instructions at least thirty (30) days before the commencement of the body art temporary event. Records of the results of such testing shall be maintained by the sponsor in accordance with these regulations.
- (c) Every body art temporary event sponsor providing a sterilization unit shall have, in accordance with these regulations, at least one commercial biological monitoring (spore) system test consistent with manufacturer's instructions for each such unit for testing purposes by the department.